

MICHIGAN DEPARTMENT OF CORRECTIONS POLICY DIRECTIVE	EFFECTIVE DATE 06/13/07	NUMBER 06.01.130
SUBJECT ABSCONDER RECOVERY UNIT	SUPERSEDES 06.01.130 (11/01/00)	
AUTHORITY MCL 750.193; 764.23; 791.239; 791.265a		
ACA STANDARDS NONE		
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POLICY STATEMENT:

The Absconder Recovery Unit (ARU) shall investigate, locate and arrest escapees, parole violators, and probationers who leave the Special Alternative Incarceration Program (SAI) facility without authorization, as set forth in this policy.

RELATED POLICIES:

- 03.03.100 Firearms and Chemical Agents
- 04.04.110 Search and Arrest in Correctional Facilities
- 04.05.110 Use of Force

POLICY:

GENERAL INFORMATION

- A. The ARU is responsible for investigating, locating, and arresting prisoners who have escaped from a Correctional Facilities Administration (CFA) or Field Operations Administration (FOA) facility. The ARU also is responsible for locating and arresting parole violators and, when authorized by the court, probationers who leave the SAI facility without authorization. A warrant is not required to arrest an escapee or parole violator. ARU staff shall not participate in a multi-agency task force without prior approval of the appropriate FOA Regional Administrator with notice to the FOA Deputy Director.

STAFF ASSIGNMENTS

- B. ARU staff shall be assigned an active caseload, make an arrest, or work independently only after successfully completing basic ARU training and FOA handgun training approved by the Office of New Employee Training and Professional Development in the Bureau of Human Resources, Operations Support Administration, and the FOA Deputy Director.
- C. FOA field agents may accompany and/or assist ARU staff, but must function in accordance with ARU staff direction.

REFERRAL

- D. The appropriate ARU supervisor or designee shall be contacted immediately (including weekends and holidays) by telephone or pager when:
 - 1. There is an escape from a CFA facility, or a TRV.
 - 2. There is an escape from a community corrections center which involved the use of a weapon and/or assaultive behavior.
 - 3. It is suspected that a corrections center escapee was involved in additional felonious behavior.
- E. Electronic Monitoring Center (EMC) staff shall notify the ARU immediately via facsimile machine

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whenever the EMC enters a warrant for a prisoner or parolee into the Law Enforcement Information Network (LEIN).

RESPONSE

- F. The FOA Deputy Director or designee shall develop investigation priority criteria to be followed by ARU staff when conducting investigations. However, if a facility head or appropriate FOA supervisor/manager requests an immediate response from the ARU because there is additional information available concerning the offender's whereabouts or details of the violation which indicate an immediate response is necessary, the ARU supervisor shall determine whether an immediate response will be provided at that time.

EQUIPMENT AND USE

- G. ARU staff are authorized to possess firearms, ammunition, and chemical agents, including a personally owned handgun, in accordance with PD 03.03.100 "Firearms and Chemical Agents". ARU staff shall be provided with bullet-resistant vests, which shall be worn when conducting investigations at any residence, when effecting a planned arrest, on stakeout, and as directed by the ARU supervisor.
- H. Firearms, ammunition, and chemical agents shall be used only in accordance with PD 03.03.100 "Firearms and Chemical Agents" and PD 04.05.110 "Use of Force". However, if circumstances arise during the course of attempting or making an arrest which present a potential danger to staff or other persons, ARU supervisors and investigators are authorized to draw and hold their weapon at the ready position (i.e., muzzle pointed in a safe direction to the ground; finger resting on frame, off trigger and outside trigger guard). The weapon shall not be aimed or fired unless the threat of danger has escalated to the point that it is reasonably believed that death or serious physical injury otherwise will result. The weapon shall be holstered immediately after the threat has passed.
- I. An ARU staff member who draws his/her firearm to the ready position shall verbally report it to the appropriate supervisor as soon as possible. A Firearms Use Evaluation (CAJ-238) and an FOA Critical Incident Notification Form (CFJ-144) shall be completed whenever an ARU staff member points or aims his/her weapon at anyone, or discharges the weapon except as required during training, qualification, or practice.

OPERATIONS

- J. It is essential that operations be conducted in a manner which minimizes risk of harm to the general public, staff, and offenders. Staff shall request local law enforcement to assist in making an arrest; however, if local law enforcement personnel are not available or circumstances require immediate action, ARU staff are authorized to make the arrest unassisted.
- K. ARU staff shall not violate any laws, including driving and traffic laws, during the course of surveillance, investigation, or arrest. The use of emergency vehicle lights of any nature is prohibited during moving surveillance.
- L. ARU staff shall ensure an arrested offender is either returned immediately to a Department facility or transported immediately to the nearest jail or other appropriate location to be held pending return to a Department facility. In those cases where an arrested offender is held in a jail, a field agent or ARU staff shall ensure that the appropriate Department detainer is filed with the local law enforcing agency holding the offender. Prior to filing the detainer, the field agent or ARU staff shall ensure that the offender is properly identified.

SEARCHES

- M. All searches of places and persons shall be conducted only with a search warrant, unless authorized by law and Department policy. Searches of offenders shall be conducted in accordance with

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MCL 791.239, Administrative Rule 791.7735, and PD 04.04.110 "Search and Arrest in Correctional Facilities".

MINIMUM STANDARDS

- N. ARU staff shall run an outstanding warrant check through LEIN for each offender at the time of the referral to the ARU. A criminal history check shall be run annually thereafter until the case is closed.
- O. Whenever possible, ARU staff shall contact the offender's last known address, family members, known acquaintances, and employers to attempt to locate the offender. Initial contact shall be made as soon as possible after receipt of the referral and every six months thereafter until the case is closed.
- P. A file shall be maintained for each referral to the ARU. ARU investigators shall maintain chronological notes on investigative efforts, including contacts and progress to locate and apprehend the offender.
- Q. ARU supervisors and/or lieutenants shall conduct annual case reviews on at least 25% of each investigator's assigned cases to ensure that the minimum standards set forth above are maintained. Whenever an investigator vacates a position, the appropriate supervisor and/or lieutenant shall conduct a case review of all cases assigned to that investigator; this does not apply to temporary absences of 90 calendar days or less. Whenever possible, the case review shall be conducted prior to the investigator vacating the position.

OPERATING PROCEDURES

- R. The FOA Deputy Director shall ensure that procedures are developed as necessary to implement requirements set forth in this policy directive. Procedures shall be completed within 60 calendar days after the effective date of this policy directive. This includes ensuring that their existing procedures are revised or rescinded, as appropriate, if inconsistent with policy requirements or no longer needed.

AUDIT ELEMENTS

- S. A Primary Audit Elements List has been developed and is available on the Department's Document Access System to assist FOA Regional Administrators with self audit of this policy pursuant to PD 01.05.100 "Self Audit of Policies and Procedures".

Approved: PLC 06/13/07